

INDIANA BOARD OF PHARMACY
Indiana Government Center South
302 West Washington Street
Conference Center Room B
Indianapolis, IN 46204

Minutes of May 15, 2023

Mark Bunton, R.Ph., President, called the meeting to order at 8:33 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted at the principal office for the Board, online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present:

Mark Bunton, R.Ph., President
Mark Smosna, R.Ph., Member
Winnie Landis, R.Ph., Member
Steve Anderson, R.Ph., Member
Matt Balla, R.Ph., Member

Members Absent:

Jason Jablonski, R.Ph., Vice President

PLA Staff Present:

Alyssa Servies, MPH, JD
Christine Cowdin

Advisory Counsel:

Leif Johnson, J.D.

The Board moved to adopt the agenda.

Landis/Balla, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

The Board voted to adopt the minutes from the meeting of March 13, 2023.
Landis/Anderson 5-0-0.

The Board voted to adopt the minutes from the meeting of April 10, 2023.
Landis/Smosna 5-0-0.

Full Board Appearances

NCDQS:

Denise Funk appeared on behalf of NCDQS to request a rule change to allow her organization to accredit and inspect facilities, similar to NABP's accreditation.

IU School Of Medicine/LARC/Robin Crisler – 61101332B:

Robin Crisler appeared on behalf of this matter.

Referred for Board appearance by Compliance Dept.

During inspection they had an unexplained diversion of an injectable controlled substance

Have updated their process since the incident occurred. – Installed cameras, chip card for entry.

After discussion, the Board moves that no action will be taken.

The Anxiety Center – Initial Application – CSR Outpatient Clinic:

Jessica Aust, APRN Medical director appeared on behalf of this matter.

Holistic mental healthcare center in Fishers, Indiana that is planning on providing IV Ketamine treatments to patients.

After discussion, the Board moved to APPROVE CSR application.

Anderson /Smosna, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson

The following board members objected: none
The following board members abstained: none

Univertical, LLC – Initial App – CSR Manufacturer:

Chris Pontorno, VP Chemical Operations appeared on behalf of this matter.

Involved in the plating industry, requires a CSR for an ingredient added in chemical manufacturing. The ingredient is a schedule I drug. There is no domestic manufacturer of this ingredient.

After discussion, the Board moved to APPROVE the application pending inspection.

Smosna/Balla, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson

The following board members objected: none
The following board members abstained: none

Walmart Pharmacy #10-7611 – Initial Application – Central Fill Pharmacy:

Jacob Creel, Director Practice Compliance, Drew Steppelman, and Brooke Blackburn, PIC of the Indianapolis location, appeared on behalf of Walmart. Walmart is opening a central fill facility in Indianapolis that will serve several states. The facility will ship back to retail facilities. Anticipate August 28th opening/go live date.

After discussion, the Board moved to APPROVE the application.

Anderson/Landis, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

Darren Covington – Legislative Update:

Darren Covington, Executive Vice President, Indiana Pharmacy Association, gave the Board an update on bills that affect the practice of pharmacy in Indiana.

Personal Appearances

The following did not show for their scheduled personal appearance:

Kimberly Peterson - Tech/Tech in Training Initial Application – Positive Response

Maria Lang - NAPLEX Repeat Exam App:

Maria Lang appeared before the Board and discussed his/her studying habits with the Board. Graduated from St. Louis College of Pharmacy. First time she took it, only studied about 30% of material, did not study second time. Has now studied 100% of material, completed RxPrep, and plans on taking the pre-NAPLEX exam.

After discussion, the Board moved to APPROVE repeat exam application.

Landis/Smosna, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson

The following board members objected: none
The following board members abstained: none

Andrew Farmer- MPJE and NAPLEX Repeat Exam App:

Andrew Farmer appeared before the Board and discussed his/her studying habits with the Board. Graduated Butler, working full time as intern at CVS. Now not working full time, studying full time. Paid for online practice exam, Butler law review course, and DEA pharmacist manual.

After discussion, the Board moved to APPROVE repeat exam applications.

Smosna/Balla, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

Melissa Basden - MPJE Repeat Exam App:

Melissa Basden appeared before the Board and discussed his/her studying habits with the Board. CVS pharmacy manager. Using Purdue course to study.

Mark Bunton explained that they are both employed with CVS but feels he can be fair and impartial in this matter. All parties were fine with Mr. Bunton participating.

After discussion, the Board moved to APPROVE repeat exam application.

Smosna/Landis, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

Azin Saeidi - MPJE Repeat Exam App:

Azin Saeidi appeared before the Board and discussed his/her studying habits with the Board. Graduated from Manchester. First time was studying for NAPLEX and MPJE at the same time. Second time was using RX prep, do not feel it was not enough. Using Purdue prep this time.

After discussion, the Board moved to APPROVE repeat exam application.

Landis/Smosna, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

Brooke Norman, RPh – 26024358A – Reinstatement App – Positive Response:

Brooke Norman appeared for this matter without counsel.
Has been out of practice for 5 years. Has a criminal conviction in IL.
Has already passed Indiana MPJE.
Employed by RPh on the go (temp agency).

After discussion, the Board moved to TABLE application for work history for reinstatement, probable cause affidavit, conviction/sentencing documentation from IL cases.

Balla/Anderson, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

John Dixon, APRN – Initial Nursing CSR App – Positive Response:

John Dixon appeared without counsel for a positive response on CSR application. Previous criminal history that has since been expunged. Provided letters of recommendation. KY license is unencumbered. Has current DEA.

After discussion, the Board moved to APPROVE application.

Smosna/Anderson, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

Jessica Soyster - Tech/Tech in Training Initial Application – Positive Response:

Jessica Soyster appeared without counsel on an initial application from a previously revoked pharmacy technician license. She has been working as a medical assistant since that time. She has been sober for over 10 years.

After discussion, the Board moved to APPROVE license issuance without restriction.

Balla/Smosna, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

Christopher Kelley - Tech/Tech in Training Initial App – Positive Response:

Christopher Kelley appeared without counsel on an initial application. Board previously tabled application for addictionology report.

He had the requested substance abuse evaluation and was shown to have no active issues. His criminal probation ends in August/

After discussion, the Board moved to APPROVE application without any restrictions.

Balla/Landis, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

David Hauge, RPh – Pharmacist Reinstatement – Positive Response:

David Hauge reappeared without counsel on a reinstatement after his license expired. He has an active license in MI, and a permanently revoked license in IL. He works for an online company as a MTM pharmacist for Medicare Part D. He lives in IL. Previously worked for a pharmacy in MI, but the commute was too far.

After discussion, the Board moved to DENY reinstatement application.

Anderson/Balla, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

DISCUSSION

Board Director's Report – Presented by Director, Alyssa Servies

OAG Report - Presented by DAG, Ryan Eldridge

Compliance Director Report – Presented by Director, Zaneta Nunnally

ADMINISTRATIVE HEARINGS

Sean Eyanson, PhT, License No: 67039506A - Cause No. 2023 IBP 0016

Summary Suspension

DAG: Ryan Eldridge

Respondent: Not present

Exhibit(s): A - Consumer Complaint filed by PLA

B – DEA 106 Form

C – CVS Corrective Action Form

D – CVS Employment file

E – Response to Consumer Complaint

Witness(es): Brittany Snow, OAG Investigator

Let the record reflect that Mark Bunton explained that they are both employed with CVS but feels he can be fair and impartial in this matter. All parties were fine with Mr. Bunton participating.

A motion was made and seconded to summarily suspend the license for a period of ninety (90) days.

Smosna/Balla, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson

The following board members objected: none

The following board members abstained: none

Zennon Gaines, PhT, License No: 67039888A - Cause No. 2023 IBP 0017

Summary Suspension

DAG: Ryan Eldridge

Respondent: Not present

Exhibit(s): None

Witness(es): None

Voluntary Summary Suspension agreement filed.

A motion was made and seconded to ACCEPT the agreement and summarily suspend the license for a period of ninety (90) days.

Anderson/Balla, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

Stacy A Collester, PhT., License No. 67002338A - Cause No. 2022 IBP 0044

Probation Withdrawal

DAG: No DAG

Respondent: Present and comfortable proceeding without an attorney

Exhibit(s): Exhibit 1 – Release from Criminal Probation

Witness(es): None

A motion was made and seconded to WITHDRAW probation.

Balla/Landis, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

Michael E. Porvaznik, MD, License No. 01060166B - Cause No. 2017 IBP 0102

Probation Withdrawal

DAG: Alex James

Respondent: Present with counsel, Michael Gaerte

Exhibit(s): A – IBP Final Order dated March 28, 2018

B – MLB Order dated October 17, 2022

C – Continuing Education

D – Letter of Recommendation from Employer

E – ISMA PAP Letter of Compliance

Witness(es): None

A motion was made and seconded to WITHDRAW probation.

Smosna/Anderson, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none

The following board members abstained: none

Patrick J. McAndrews, RPh., License No. 26016675A - Cause No. 2023 IBP 0007

Final Hearing

DAG: Ryan Eldridge

Respondent: Present with counsel, A. Barclay Wong

Exhibit(s): None

Witness(es): None

A motion was made and seconded to ACCEPT settlement agreement for INDEFINITE PROBATION with terms and conditions.

Smosna/Landis, 5-0-0
Motion carries

The following board members voted aye:
Mark Bunton, Mark Smosna, Winnie Landis,
Matt Balla, and Steve Anderson
The following board members objected: none
The following board members abstained: none

Woodfield Distribution, LLC, License No. 48002263A - Cause No. 2023 IBP 0008

Hearing Continued

There being no further business the Board ADJOURNED at 12:37 p.m.